

Message Text

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ACTION EUR-25

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-07 H-03 INR-10 L-03

NSAE-00 NSC-10 PA-04 RSC-01 PRS-01 SPC-03 SS-20

USIA-15 ACDA-19 IO-14 NIC-01 SAJ-01 OMB-01 DRC-01

/140 W

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R 101333Z NOV 73

FM AMEMBASSY BONN

TO SECSTATE WASHDC 8664

INFO AMEMBASSY BUDAPEST

AMEMBASSY BELGRADE

AMEMBASSY BUCHAREST

AMEMBASSY LONDON

AMEMBASSY MOSCOW

AMEMBASSY PARIS

AMEMBASSY PRAGUE

AMEMBASSY SOFIA

AMEMBASSY WARSAW

USMISSION BERLIN

USMISSION NATO BRUSSELS

C O N F I D E N T I A L SECTION 01 OF 02 BONN 16327

E.O. 11652: GDS

TAGS: PGOV, PFOR, GW, BU, CZ, HUS, BWB

SUBJECT: FRG-CZECHOSLOVAK DIFFERENCES SEEMINGLY
RESOLVED

REF: (A) BONN 15983; (B) MOSCOW 13845

SUMMARY: FRG FONOFF OFFICIAL BRIEFED US ON RECENT
DEVELOPMENTS IN FRG-CZECH RELATIONS WHICH NOW APPEAR
SET FOR NORMALIZATION AFTER SEVERAL MONTHS OF BEING
HUNG UP ON THE WEST BERLIN LEGAL ASSISTANCE ISSUE.
END SUMMARY.

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1. FONOFF POLITICAL DIRECTOR VAN WELL VISITED PRAGUE

NOVEMBER 7-8 TO DETERMINE WHETHER CZECHS, IN WAKE OF CHNOUPEK'S VISIT TO MOSCOW EARLIER IN THE WEEK, HAD BEEN GIVEN THE SOVIET GREEN LIGHT TO MOVE AHEAD IN THE TALKS WITH THE FRG. VAN WELL FOUND THE CZECHS MOST WILLING TO RESOLVE THE OUTSTANDING DIFFICULTIES AND SO QUICK AGREEMENT WAS REACHED IN PRINCIPLE TO HAVE THE LEGAL ASSISTANCE ISSUE RESOLVED ALONG THE LINES OF THE ARRANGEMENT THE GERMANS PROPOSED IN MOSCOW, I.E., DIRECT COURT-TO-COURT CONTACTS (REFTELS).

2. THE ONLY POINT LEFT FOR THE CZECHS TO CONSIDER IS THE FRG POSITION THAT THE COURT-TO-COURT SOLUTION APPLY TO WEST GERMAN AS WELL AS WEST BERLIN COURTS. FRG FONOFF REP TOLD US THE CZECHS HAD INDICATED THEY HAD TO CONSULT THIS PROPOSAL WITH MOSCOW.

3. ASSUMING THE MATTER IS RESOLVED SATISFACTORILY, AND THE FRG FONOFF IS OPTIMISTIC IT WILL BE, THE GERMANS CONSIDER ALL DIFFICULTIES TO HAVE BEEN RESOLVED. THE TEXT OF THE TREATY NORMALIZING RELATIONS AND PROVIDING FOR ESTABLISHMENT OF DIPLOMATIC RELATIONS IS COMPLETE. THE LEGAL ASSISTANCE MATTER WILL BE HANDLED IN A CONFIDENTIAL EXCHANGE OF LETTERS.

4. FONOFF REP SAID THAT, IN LIGHT OF THE SEEMINGLY FORTHCOMING CZECH POSITION, THERE APPEARED TO BE NO REASON FOR THE FRG TO POSTPONE CONCLUSION OF THE TREATY WITH THE CSSR UNTIL ALL TECHNICAL POINTS IN THE FRG-SOVIET DISCUSSION OF LEGAL ASSISTANCE ARE CLEARED UP. (ANOTHER FONOFF REP HAD EARLIER INDICATED TO US THAT THIS LINKAGE WOULD BE MADE--SEE BONN 15983.)

5. FONOFF REP SAID THAT, IF ALL GOES WELL, IT IS EXPECTED THAT CHANCELLOR BRANDT AND FONMIN SCHEEL WILL TRAVEL TO PRAGUE FOR SIGNATURE OF THE TREATY AT THE END OF NOVEMBER/BEGINNING OF DECEMBER. THE EXACT DATE IS NOT YET SET.

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6. COMMENT. THE FRG FONOFF IS TAKING A FAIRLY JUBILANT ATTITUDE TOWARD THE RESOLUTION OF THE PROBLEMS WITH THE CZECHS. IT SEEMS TO CONSIDER THAT ITS STIFF POSITION IN RECENT MONTHS AND ITS CLARIFICATION OF THE ISSUES WITH THE SOVIETS HAVE FINALLY PAID OFF IN A WAY SATISFACTORY TO THE FEDERAL GOVERNMENT.

7. OUR OWN VIEW IS THAT THE FRG PROBABLY COULD HAVE ACHIEVED THE COURT-TO-COURT SOLUTION LAST SUMMER IF IT HAD BEEN WILLING TO CONSIDER THAT POSSIBILITY AT THAT CONFIDENTIAL

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TIME AND IT IF HAD BEEN LESS PRONE TO PUBLICIZE ITS DIFFICULTIES WITH THE SOVIETS AND EES. IT WOULD BE EASY TO PASS THE ENTIRE MATTER OFF AS A MINOR ERROR IN DIPLOMATIC MANEUVERING WERE IT NOT FOR THE FACT THAT THE FONOFF'S HANDLING OF THIS CLOSING PHASE OF THE FRG OSTPOLITIK LED TO STRAINS WITHIN THE SPD LEADERSHIP AND WITHIN THE COALITION. BUT ALL SIDES ON THE GERMAN SCENE ARE SENSITIVE TO THE RECENT INTRA-FRG STRESSES AND WILL THEREFORE IN ALL LIKELIHOOD MOVE AHEAD QUICKLY TO ESTABLISH RELATIONS WITH THE TWO

REMAINING EES, HUNGARY AND BULGARIA, AND THUS BRING
THIS PHASE OF EASTERN POLICY TO COMPLETION.
HILLENBRAND

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